

Exhibit 5



KOCH COMPANIES PUBLIC SECTOR, LLC
Legal, Government, Public Affairs

Raffaele Fazio
Deputy General Counsel
Corporate and Commercial

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SEP 13 2011

GARDEN CITY GROUP

September 8, 2011

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VIA CERTIFIED MAIL AND
RETURN RECEIPT REQUESTED

In re: Washington Mutual, Inc. Securities Litigation
EXCLUSIONS
% The Garden City Group, Inc.
P.O. Box 91310
Seattle, WA 98111-9410

Re: *In re: Washington Mutual, Inc. Securities Litigation*
U.S. District Court Western District of Washington at Seattle
Civil Action No.: 2:08-md-1919 MJP; Lead Case No.: C08-387-MJP
Request for Exclusion from the Class

Dear Claims Administrator:

I am counsel for Koch Companies Public Sector, LLC and represent the interests of Koch Industries, Inc. and affiliated companies (collectively "Koch").

Koch is in receipt of the notice of class action settlement for this matter. To the extent Koch may qualify as a member of the Class, Koch does not wish to participate in the Settlements and requests exclusion from the Class. According to the notice, the request for exclusion (opt-out) deadline is October 10, 2011. Please consider this letter to be Koch's written request for exclusion from the Class.

Should you have any questions, please contact the undersigned at (316) 828-8310.

Sincerely,

Raffaele Fazio

316.828.8310 Tel
316.828.8602 Fax
4111 E. 37th Street North
Wichita, Kansas 67220
Raffaele.Fazio@kochps.com

www.kochind.com



K.KOCH

KOCH COMPANIES PUBLIC SECTOR, LLC
Legal, Government, Public Affairs

4111 E. 37th Street North
Wichita, Kansas 67220

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INDUSTRIES INC.

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Clare Washington Mutual, etc. Securities Litigation
EXCLUSIONS

To The Garden City Group, Inc.
P.O. Box 91310
Seattle, WA 98111-9410

RETURN RECEIPT
REQUESTED

RECORDED MAIL

BERNSTEIN LITOWITZ BERGER & GROSSMANN LLP
ATTORNEYS AT LAW
NEW YORK • CALIFORNIA • LOUISIANA

ROCHELLE FEDER HANSEN

rochelle@blbglaw.com

212-554-1407

October 19, 2011

VIA EMAIL AND FIRST CLASS MAIL

Raffaele G. Fazio, Esq.
Deputy General Counsel
Corporate and Commercial
Koch Companies Public Sector, LLC
4111 E. 37th Street North
Wichita, KS 67220

Re: In re Washington Mutual, Inc. Securities Litigation

Dear Mr. Fazio:

I am writing to follow up on the voice mail that I left for you. We received a copy of your letter, dated September 8, 2011, requesting exclusion on behalf of Koch Companies Public Sector, LLC, Koch Industries, Inc. and affiliated companies (collectively "Koch") from the Class in the above-referenced matter. Your request, however, does not provide the information called for with respect to requests for exclusion as set forth in the Court-approved Notice of (I) Pendency of Class Action and Proposed Settlements; (II) Settlement Fairness Hearing; and (III) Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses (the "Notice") (*see* paragraphs 82 and 83 of the Notice). Indeed, the request submitted is devoid of any information regarding transactions by Koch in WMI Class Securities and as such, there is no way of determining whether Koch is even a member of the Class. The submitted request for exclusion is not valid.

If you would like to attempt to cure the deficiency in the request for exclusion or discuss the matter further, please call me as soon as possible.

Very truly yours,



Rochelle Feder Hansen

#589849

